

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 1631
)
HOGAN *et al.*) Examiner: Marschel, A.
)
Serial No. 08/454,529) Atty. Docket No. GP004-16.DV4
)
Filed: May 30, 1995)
)
For: METHODS FOR DETERMINING) **VIA FEDERAL EXPRESS**
THE PRESENCE OF NON-VIRAL)
ORGANISMS IN A SAMPLE)

#38
Plunkett
7/8/02

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)**

Examiner Ardin H. Marschel
Art Unit 1631
United States Patent and Trademark Office
7th Floor Receptionist
1911 South Clark Place
Crystal Mall One
Arlington, Virginia 22202

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Dear Examiner Marschel:

Applicants bring to your attention the reference listed on the attached form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. A copy of the cited reference is attached hereto.

This Information Disclosure Statement is being submitted in accordance with the provisions set forth in 37 C.F.R. § 1.97(c) more than three months from the filing date of the subject application and after the mailing date of a first Office action on the merits but before the mailing date of a final action, notice of allowance or action that otherwise closes prosecution in the application. Although *ex parte* prosecution in the instant application has been suspended, due to a potential interference, Applicants submit that a suspended prosecution does not "close" prosecution in the application.

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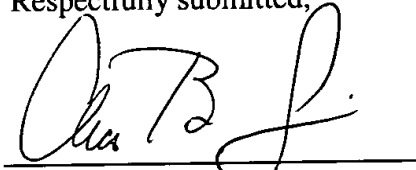
Serial No. 08/454,529
Atty. Docket No. GP004-16.DV4

Applicants respectfully request an indication that the cited reference was considered by returning a copy of the attached form PTO/SB/08 with your initials or other appropriate marks.

Please charge the fee set forth in 37 C.F.R. § 1.17(p), and any other fee which may be due, to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

At your direction, this correspondence, and any referred to as attached, is being sent by Federal Express on the date indicated below to Examiner Ardin H. Marschel, Art Unit 1631, United States Patent and Trademark Office, 7th Floor Receptionist, 1911 South Clark Place, Crystal Mall One, Arlington, Virginia 22202.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles B. Cappellari", written over a horizontal line.

By:

Charles B. Cappellari
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Dated: June 28, 2002

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